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EXAMINER

SKAARUP, JASON M

ART UNIT PAPER NUMBER

3714

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/805,243

Applicant(s)

ECK ET AL.

Examiner

Jason Skaarup

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 17-29,31-46 and 50-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-29,31-46 and 50-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/31/04 & 1/13/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The Examiner has considered the Information Disclosure Statements (IDS) submitted on March 31, 2004 and January 13, 2005.

### ***Election/Restrictions***

2. Applicant's election without traverse of claims 17-29 and 31-46 and the addition of new claims 50-69 in the reply filed on November 1, 2004 is acknowledged.

### ***Double Patenting***

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 17-29, 31-46 and 50-69 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-44 of U.S. Patent No. 6,716,103. Although the conflicting claims are not identical, they are not patentably distinct from each other because at least claim 10 of the patent "anticipates" at least application claims 17 and 29. Accordingly, application claims 17 and 29 are not patentably distinct from patent claim 10. Patent claim 10 requires "pager circuitry" incorporated in a "pager cartridge", "a user interface", "a display", "a processing system" and "the pager cartridge further comprising a memory for storing a video game program and said processing system being operable in response to user inputs to execute the video game program stored in the memory of said pager cartridge" while application claims 17 and 29, respectively, only require "radio circuitry", "a user interface", "a memory", and "a processing system". Thus it is apparent that the more specific patent claim 10 is encompassed by application claims 17 and 29, respectively. Following the rationale in *In re Goodman* cited in the preceding paragraph, where applicant has once been granted a patent containing a claim for the specific or narrower invention, applicant may not then obtain a second patent with a claim for the generic or broader invention without first submitting an appropriate terminal disclaimer.

A similar analysis can be made between at least claim 31 of the instant application and at least claim 40 of the patent.

Regarding claim 34, Darling et al. disclose that the game-activation data comprises collectible activation data for activating additional video game collectibles (page 9, lines 14-18, wherein possessions of a game character are gained or lost through challenges communicated via messaging between game machines).

Regarding claim 36, Darling et al. disclose a game machine (10) that comprises radio frequency communication circuitry for transmitting and receiving messages over a wireless communication system (communications unit 30) in Figure 1 along with the related description thereof. The game machine (10) includes storage (memory 22) for storing game intervention data included in received messages and a processing system (processing unit 31) for executing a video game program for a video game, wherein video game interventions are provided based on the video game intervention data stored in the storage (page 9, lines 19-33, wherein a message is transmitted to game players which intervenes with game play).

Regarding claim 37, Darling et al. disclose that the message including the video game intervention data is communicated from another video game machine (page 9, lines 24-30, wherein an accomplishment achieved by one player is communicated to other players via messaging).

Regarding claims 38 and 39, Darling et al. disclose that the video game intervention data comprises video game elements solicited or unsolicited by a player playing the video game (page 9, lines 19-33, wherein a player can send messages via inputs 14 to other players informing the other players of the player's accomplishment

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 31, 32, 34, 36-39, 41, 43, 44 and 46 rejected under 35 U.S.C. 102(b) as being anticipated by Darling et al. (WO 93/23125).

Regarding claim 31, Darling et al. disclose a game machine (10) that comprises radio frequency communication circuitry for transmitting and receiving messages over a wireless communication system (communications unit 30) in Figure 1 along with the related description thereof. The game machine (10) includes storage (memory 22) for storing game-related activation data included in received messages and a processing system (processing unit 31) for executing a video game program including embedded game features that are activated by the game-related activation data stored in the storage (page 7, lines 24-32, page 9, lines 1-18, page 9, line 34 to page 10, line 6 and page 12, line 31 to page 13, line 13, wherein game enhancements or updates for a video game are activated upon the communications unit 30 receiving messages).

Regarding claim 32, Darling et al. disclose that the processing system (31) is embodied in a hand-held unit (10) and the radio frequency communication circuitry and the storage are embodied in a device (cartridge 20) that is detachably connectable to the hand-held unit (Page 8, lines 7-21).

(solicited) and wherein an automatic message indicating a player's accomplishment is sent to all players from a gaming server (unsolicited)).

Regarding claim 41, Darling et al. disclose that the message including the video game intervention data is responsive to a background message transmitted by the video game apparatus during the playing of the video game (page 9, lines 24-30, wherein an accomplishment achieved by one player is communicated to other players via messaging).

Regarding claim 43, Darling et al. disclose a hand-held game machine (10) that comprises a display (15), radio frequency communication circuitry (communications unit 30) for transmitting and receiving messages over a wireless communication network (Figure 1 along with the related description thereof) and a processing system (processing unit 31) for executing a video game program that generates game displays on the display, wherein the video game program includes instructions for automatically transmitting game player identification over the wireless communication network (Figure 5 along with the related description thereof, wherein instructions for automatically transmitting game player identification are included in the header section of each message).

Regarding claim 44, Darling et al. disclose a hand-held game machine (10) that comprises a display (15), radio frequency communication circuitry (communications unit 30) for transmitting and receiving messages over a wireless communication network (Figure 1 along with the related description thereof) and a processing system (processing unit 31 and CPU 11) for executing a video game program and for

controlling the communication circuitry (30) to communicate one or both of sound and visual data over the wireless communication network (Figure 1 along with the related description thereof).

Regarding claim 46, Darling et al. disclose a hand-held game machine (10) that comprises a display (15), radio frequency communication circuitry (communications unit 30) for transmitting and receiving messages over a wireless communication network (Figure 1 along with the related description thereof) and a processing system (processing unit 31 and CPU 11) for executing a video game program, wherein the processing system is responsive to a received message for disabling the radio frequency communication circuitry (page 18, lines 3-8 and page 20, lines 23-28, wherein game play is continued when radio frequency communication is suspended by communication errors resulting from players disconnecting from the wireless communication network).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 33, 35, 45, 56, 57, 60 and 62-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al.

Darling et al. teach that the game-activation data comprises collectible activation data for activating additional "skills, possessions, etc." throughout game play in a "Dungeon and Dragons" type environment (page 9, lines 14-18 and page 10, lines 1-6). However, Darling et al. does not explicitly teach that the game-activation data activates additional video game characters as recited in claim 33 or that the game-activation data activates additional video game levels as recited in claim 35. It is notoriously well known in the gaming art for a video game program to activate or "unlock" additional game features, characters and levels in order increase game excitement for players of the game. It would have been obvious for one skilled in the art at the time of the invention to activate additional game characters or game levels, based on the teachings of Darling et al. to activate additional "skills, possessions, etc.," in order to increase excitement for players of the game machine of Darling et al.

Regarding claim 45, Darling et al. teach communication circuitry (30) that communicates one or both of sound and visual data over the wireless communication network (Figure 1 along with the related description thereof), but Darling et al. do not explicitly teach communicating compressed sound or visual data. It is notoriously well known in the art to compress data in order to reduce transmission time and to save storage space for the data. It would have been obvious for one skilled in the art at the time of the invention to incorporate compressed sound or visual data into the game machine taught by Darling et al. in order to at least reduce transmission time during messaging between game machines.

Regarding claim 56, Darling et al. teach that the messages are transmitted along with a persona character (page 9, lines 24-30, wherein a message "has killed the dragon" indicating a player accomplishment is transmitted with a persona character "David D." indicating the player who achieved the accomplishment).

Regarding claims 57 and 60, Darling et al. teach that the messages comprise user-generated graphics (page 9, lines 21-27, wherein messages are comprised of keyboard input generated by a user and wherein any string of at least two characters would constitute a graphic).

Regarding claims 62, 64 and 65, Darling et al. teach a storage device (memory 22) for storing predefined messages for composing messages and input device (14) for generating user-defined messages (page 9, lines 19-33). However, Darling et al. does not explicitly teach a storage device for storing user-defined messages (words, phrases, graphics, symbols and audio pieces) for composing messages as recited in claims 62, 64 and 65. It would have been obvious matter of design choice to modify Darling et al. to store user-defined messages for composing messages in memory 22 along with predefined messages, since applicant has not disclosed that storing user-defined messages solves any stated problem or is for any particular purpose and it appears that the memory 22 in the game machine 10 of Darling et al. would perform equally well storing both predefined messages and user-defined messages.

9. Claims 17-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. in view of Marrs (U.S. Patent No. 5,376,931).

Darling et al. teach a game machine (10) as recited in independent claims 17 and 29. The disclosed gaming machine (10) comprises radio circuitry configured to transmit and receive messages via a wireless communication system (communications unit 30), specifically a paging system (Figure 1 along with the related description thereof). The game machine (10) includes a user interface (inputs 14) enabling a user to provide inputs thereto and a processing system (processing unit 31) operable in response to the user inputs (inputs 14) to transmit messages via the wireless communication system or paging system (page 9, lines 19-33). However, Darling et al. does not explicitly teach a memory for storing message credits, wherein the processing system (processing unit 31) transmits messages via the wireless communication system or paging system (communications unit 30) if sufficient message credits are stored in the memory. In a related messaging apparatus, Marrs teach a debit message authorization system for radio receivers (Figure 1 along with the related description thereof and Abstract) in which a receiver (56) receives message information and a memory (104, 106) stores message the received message information for presentation to a user. The radio receiver (56) includes a debit meter (72) that indicates a number of available credit units for enabling the presentation of the stored message information (col. 3, lines 51-59 and Abstract). The debit meter allows users to reduce messaging costs by paying for the required bandwidth needed to receive messages instead of incurring monthly charges for the same service (col. 4, line 56 to col. 5, line 6). It would have been obvious for one skilled in the art at the time of the invention to incorporate the debit meter (72) as taught by Marrs in to the game machine (10) as taught by Darling et al. in order to reduce the

required bandwidth for messaging, which allows users to pay for messages received instead of incurring monthly charges for the same service.

Regarding claim 18, the combination of Darling et al. and Marrs teaches that the radio circuitry is provided as part of a pager cartridge that is removably attachable to the game machine (page 8, lines 7-15 of Darling).

Regarding claim 19, Marrs teaches that the debit meter (72) assesses a per character charge for messages (at block 512 of Figure 3, along with the description at col. 3, lines 59-66 and col. 5, lines 7-13), which changes the number of messaging credits in accordance with sizes of a transmitted message. Therefore, the combination of Darling et al. and Marrs would teach that the processing system (31) of Darling decreases the number of message credits in memory in accordance with sizes of the transmitted message as taught by Marrs.

Regarding claim 20, Marrs teaches that the number of message credits in the memory (104, 106) is increasable in response to user inputs, wherein a user pays necessary fees to retrieve a stored message (col. 5, lines 28-39). Therefore, the combination of Darling et al. and Marrs teaches that the number of message credits in the memory would be increasable in response to user inputs via the user interface (14).

Regarding claim 21, the combination of Darling et al. and Marrs teaches that the user inputs (14) comprise alphanumeric inputs (page 9, lines 19-33 of Darling).

Regarding claim 22, the combination of Darling et al. and Marrs teaches that the credit replenish message of Marrs is transmitted to a remote location for authentication of inputs and the number of message credits in the memory is increased only if an

authentication message is received by the radio circuitry from the remote location (col. 5, lines 28-38 of Marrs)

Regarding claim 23, the combination of Darling et al. and Marrs teaches a display (display 15 of Darling and display 68 of Marrs), wherein the processing system is operable to cause the display to display indicia indicative of the number of message credits in the memory (col. 2, lines 47-55 of Marrs, wherein the debit meter 72 shows the number of message credits in the memory on display 68).

Regarding claim 24, the combination of Darling et al. and Marrs teaches a display (display 15 of Darling and display 68 of Marrs), wherein the processing system is operable to cause the display to display reminder indicia when the number of message credits in the memory falls below a predetermined number of message credits (col. 5, lines 28-39 of Marrs).

Regarding claim 25, the combination of Darling et al. and Marrs teaches that the processing system is operable in response to user inputs to cause the display to display messages received by the radio circuitry (col. 5, lines 20-27 of Marrs).

Regarding claim 26, the combination of Darling et al. and Marrs teaches that the processing system is operable to change the number of message units stored in the memory in response to a message received by the radio circuitry (blocks 506, 520 of Figure 3 along with the related descriptions thereof and col. 4, lines 46-50 of Marrs).

10. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. and Marrs, as applied to claim 17 above, and further in view of Taskett et al. (U.S. Patent No. 6, 044,247).

The combination of Darling et al. and Marrs teaches that the processing system processing system is operable to change the number of message units stored in the memory in response to a message received by the radio circuitry (blocks 506, 520 of Figure 3 along with the related descriptions thereof and col. 4, lines 46-50 of Marrs). However, the combination of Darling et al. and Marrs does not explicitly teach that the number of message units stored in the memory is changed in accordance with scanned data as recited in claim 27 or is changed in accordance with data read from a magnetic stripe as recited in claim 28. In a related messaging system, Taskett et al. teach a paging credit and debit system that includes a paging card (300) to replenish a pager account balance via an authorization code (304) stored in a bar code, magnetic code or other suitable indicia on the card (Figure 3 along with the related description thereof). The paging card (300) allows users to replenish their pager account balance to access paging services without manual input, which eases operation of the paging system and reduces user error when entering the authorization code 304 (col. 5, lines 55-57). It would have been obvious to incorporate the paging card (300) and authorization code (304) as taught Taskett et al. into the game machine as taught by the combination of Darling et al. and Marrs in order to reduce manual input when replenishing pager credits, which eases operation of the paging system and reduces user error as taught by Taskett et al. in col. 5, lines 55-57.

11. Claims 50-54 and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. in view of Wagner et al., "Human Factors Design Guide: For Acquisition of Commercial-Off-The-Shelf Subsystems, Non-Developmental Items, and

Developmental Systems” which was published on January 15, 1996 (hereafter “Wagner et al.”).

Darling et al. teach a game machine comprising a liquid crystal display (15) for displaying game displays (Figure 1 along with the related description thereof), but Darling et al. do not explicitly teach a touch-sensitive display as recited in claims 50-54. In a related display application, Wagner et al. teach that touch panels or screens should be used to provide an overlaying control function to a display device if direct visual reference access and optimum direct control access are desired (section 8.8.4.2 on page 8-147). Such touch panels or screens provide users with the ability to input data (such as messages during game play as taught by Darling) quickly as shown in Exhibit 8.8 on page 8-138. Therefore, it would have been obvious for one skilled in the art at the time of the invention to incorporate a touch panel or screen as taught by Wagner et al. into the game machine of Darling et al. in order to allow players to enter data (message information) quickly during game play while offering direct visual reference and direct control access to the players as taught by Wagner in section 8.8.4.2 on page 8-147.

Regarding claim 68, the combination of Darling et al. and Wagner et al. teach a game machine (10) that comprises a touch-sensitive display (pages 8-138 and 8-147 of Wagner et al.), wireless communication circuitry (30) for transmitting and receiving messages, and a processing system (31) for executing a video game program that generates game displays on the display (Figure 1 along with the related description thereof in Darling et al.) The processing system (31) generates background messages

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that are transmitted via the wireless communication network (30) while the video game program is being executed (page 9, lines 24-30, wherein an accomplishment achieved by one player is communicated to other players via messaging during game play).

12. Claims 55, 58, 59, 61, 63, 66 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. in view of Wagner et al., and further in view of Marrs.

Regarding claim 55, the combination of Darling et al. and Wagner et al. teach a game machine (10) that comprises a touch-sensitive display (pages 8-138 and 8-147 of Wagner et al.), wireless communication circuitry (30) for transmitting and receiving messages, a processing system (31) for executing a video game program that generates game displays on the display and one or more input devices (14) supplied with inputs for instructing movement of a game character during execution of the video game program (Figure 1 along with the related description thereof in Darling et al.) However, the combination of Darling et al. and Wagner et al. does not explicitly teach a vibration circuit for generating vibrations when messages are received. In a related messaging application, Marrs teaches a messaging system as discussed above that includes a tactile alerting device 60 (a vibration circuit) to produce a vibrating alert when messages are received in order to alert the user that a message was received (col. 2, lines 40-46 of Marrs). Therefore, it would have been obvious for one skilled in the art at the time of the invention to incorporate a tactile alerting device 60 as taught by Marrs into the game machine of Darling et al. in order to alert players that a message was received as taught by Marrs in col. 2, lines 40-46.

Regarding claims 58 and 59, Marrs teaches an audible alerting device 58 that generates sounds (or music) when messages are received (col. 2, lines 40-46).

Regarding claims 61 and 63, Darling et al. teach predefined messages that can be selected for composing messages to game players from a menu (page 9, lines 19-24).

Regarding claim 66, Darling et al. teaches an on-screen keyboard for composing messages (page 9, lines 19-24).

Regarding claim 67, Marrs teaches selectively storing received messages (blocks 504 and 514 of Figure 5 along with the related description thereof).

13. Claims 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. in view of AOL Instant Messenger, Quick Tips for Getting Started (hereafter "AOL"). AOL was retrieved from URL:

<http://web.archive.org/web/19980111061346/www.aol.com/aim/quiktips.html>.

Darling et al. teach a game machine (10) that includes a processing system (processing unit 31) for executing a video game program for a video game, wherein video game interventions are provided based on the video game intervention data stored in the storage (page 9, lines 19-33, wherein a message is transmitted to game players which intervenes with game play). However, Darling et al. does not explicitly teach limiting the number of video game interventions during the playing of the video game. In a related messaging system, AOL teaches that players can toggle their online status to receive or block messages through user configurable options. The "block" option allows users to limit the number of received messages transmitted to them, which

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provides users with the privacy from unwanted messages. It would have been obvious to one skilled in the art at the time of the invention to allow users to "block" messages from other users as taught by AOL into the game machine of Darling et al. in order to provide players with privacy from unwanted messages during game play.

14. Claim 69 is rejected under 35 U.S.C. 103(a) as being unpatentable over Darling et al. in view of Wagner et al. as applied to claim 68 above, and further in view of AOL.

The combination of Darling et al. and Wagner et al. teaches a game machine (10) as recited in claim 68 as described above. However, the combination of Darling et al. and Wagner et al. does not explicitly teach that the number of background messages generated while the video game program is being executed is user configurable. In a related messaging system, AOL teaches that players can toggle their online status to receive or block messages through user configurable options. The "block" option allows users to limit the number of received messages transmitted to them, which provides users with the privacy from unwanted messages. It would have been obvious to one skilled in the art at the time of the invention to allow users to "block" messages from other users as taught by AOL into the game machine of Darling et al. in order to provide players with privacy from unwanted messages during game play.

### ***Conclusion***


15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and is listed on the attached Notice of References Cited (PTO-892).

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Jason Skaarup whose telephone number is 571-272-4455. The Examiner can normally be reached on Monday-Thursday (10:00-8:00).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Primary, Jessica Harrison can be reached at 571-272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JESSICA HARRISON  
PRIMARY EXAMINER